

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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4 BAYER AG, et al.,

5 Plaintiffs,

6 v.

7 BIOVAIL LABORATORIES, INC.,  
et al.,

CIVIL NO. 98-1282 (RLA)  
CIVIL NO. 98-1340 (RLA)  
CIVIL NO. 98-1494 (RLA)  
CIVIL NO. 98-1768 (RLA)  
CIVIL NO. 01-1205 (RLA)  
CIVIL NO. 01-1206 (RLA)

Defendants.

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ORDER GRANTING FURTHER STAY OF PROCEEDINGS  
INSTRUCTING PARTIES TO FILE STATUS REPORT  
AND VACATING STATUS CONFERENCE SETTING

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13 The court having reviewed the parties' respective proposals on  
14 how to proceed in these consolidated actions in view of the recent  
15 decision in Bayer AG and Bayer Corp. v. Biovail Corp., 279 F.3d 1340  
16 (Fed. Cir. 2002) hereby finds that judicial economy dictates that  
17 these proceedings be held in abeyance until a determination of the  
18 proper interpretation of Bayer's '446 patent claims have been decided  
19 in the cases currently pending in the Northern District of Georgia.

20 Accordingly, Defendants' Suggestion... filed on March 18, 2002  
21 (docket No. **151**)<sup>1</sup> is hereby **GRANTED** and these proceedings are hereby  
22 **STAYED** until further order of this court.

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25       <sup>1</sup> See Plaintiffs Bayer A.G. Corporation and Pfizer Inc.'s  
Position on Further Proceedings... filed on March 18, 2002 (docket  
26 No. 150).

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1 CIVIL NO. 98-1282 (RLA)

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3 The parties shall file a STATUS REPORT **no later than October 1,**  
4 **2002** advising the court of the status of the proceedings in the  
5 Northern District of Georgia.

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7 In view of the foregoing, the Status Conference scheduled for  
8 March 26, 2002 at 10:00 a.m. is hereby **VACATED AND SET ASIDE.**

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10 IT IS SO ORDERED.

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12 San Juan, Puerto Rico, this 21 day of March, 2002.

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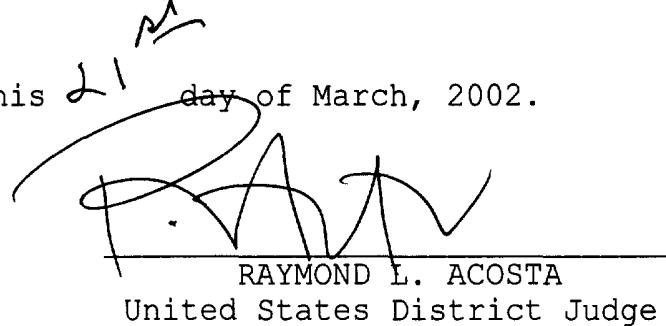
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RAYMOND L. ACOSTA  
United States District Judge